

To Bankruptcy Practitioners for the Eastern District of Oklahoma:

As all are aware, on April 20, 2005, the President signed into law the Bankruptcy Abuse Prevention and Consumer Protection Act ( the Act). The effective date for most of the provisions of the Act was October 17, 2005, however some of the provisions are not effective until this October.

Section 601 of the Act requires bankruptcy clerks to collect additional statistics on consumer debtor cases. This data must be collected starting October 17, 2006. Since the changes in reporting are extensive, all bankruptcy courts will be modifying their Case Management/Electronic Case File (CM/ECF) systems to accept this additional data. Our court will change to the upgraded CM/ECF software on Tuesday October 17<sup>th</sup>. We will shut down our system to outside users at 5:00 pm on Monday October 16<sup>th</sup> to begin the migration to the next version. It is anticipated the system will be available in “read only” status by the morning of October 17<sup>th</sup> and return to full interactive filing by noon of the same day.

After we migrate to the newer version of CM/ECF, **your current case upload software will not be compatible unless you have installed the vendor provided upgrade** to your system. You must use the current version of your upload software through October 16<sup>th</sup> and upgrade contemporaneously with our upgrade on the 17<sup>th</sup> or you will be unable to file new cases correctly. **We must both change to the new versions**. If you decide not to upgrade your bankruptcy software in order to utilize the *case upload* feature, you will still be able to file cases in CM/ECF using the pull down menus under the heading of “Bankruptcy” and selecting “Open a Voluntary BK Case”.

Please note that on October 17<sup>th</sup> many forms change as well. New petition forms, schedules and reaffirmation forms are required. The case upload vendors have assured us that the software upgrades will produce the required new forms. Forms are also available on our Web site [www.okeb.uscourts.gov](http://www.okeb.uscourts.gov) under the quick links portion of the home page.

Additional changes should also be noted with the upgraded CM/ECF software. The new version has more specific events for numerous motions. It is imperative for the filer to choose the correct motion title from the menu items so the system can correctly report the data required by the new Act. For example, formerly the user was able to file a *Motion for Relief from Stay* and then in text add other reliefs such as *Abandonment* or in the alternative *Adequate Protection*. After the migration to the more robust version, the filer must choose three distinct motion events from the drop down menu in order to file a motion seeking the desired relief. Further, instead of using a generic motion, the new version has specific motion events previously not available. Please check our home page for a complete listing of the additional events.

More detailed explanation of the changes will be afforded in training sessions scheduled for 8:30 am on October 11<sup>th</sup> prior to the docket in Okmulgee and at 9:30 am on October 12<sup>th</sup> prior to the docket in McAlester. These training sessions will be 30 minutes in duration.

The court’s training database will be upgraded to the new version of CM/ECF and be available for testing and training beginning October 10, 2006. If you have questions please call the clerk’s office @ 918-758-0126 or the court help desk @ 918-759-4357.